



NEWS

Federal Communications Commission
445 12th Street, S.W.
Washington, D. C. 20554

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January 29, 2002

OPEN PROCEEDINGS

The following is a listing of current FCC Notices of Proposed Rulemaking (NPRMs) and Notices of Inquiry (NOIs) open for public comment; however, routine petitions to amend the Table of Allotments are not included. This listing also includes pertinent Public Notices (PNs) announcing comment subjects and dates. For additional information, contact Marilyn Abraham (202) 418-2374 in the Consumer Information Bureau. Please note: as comment and reply comment periods expire, they are deleted from this listing. An asterisk (*) indicates that the comment period deadline has past, but the reply comment period is still open.

CABLE SERVICES BUREAU

CS 96-85, 98-82; ORDER 10/15/01 (adopted 10/12/01); DA 01-2390

Implementation of Section 11 of the Cable Television Consumer Protection and Competition Act of 1992.

The Commission extended the time period for filing comments in the above-captioned proceeding until January 4*; replies due February 4.

CS 01-348; PN 12/21/01 and 01/15/02; DA 01-3005

Echostar Communications Corporation, General Motors Corporation, and Hughes Electronics Corporation Seeks FCC Consent for a Proposed Transfer of Control.

The Commission seeks comment on this proceeding. Petitions/Comments due February 4; oppositions/replies due February 25. Contact: Marcia Glauber at (202) 418-7046 (voice) or Linda Senecal at (202) 418-7044 (voice).

CS 00-96; PN 01/08/02; DA 02-31

National Association of Broadcasters and Association of Local Television Stations Seek Modification or Clarification of Broadcast Carriage Rules for Satellite Carriers.

On January 4, 2002, the Commission received an Emergency Petition from the National Association of Broadcasters and the Association of Local Television Stations asking for

modification or clarification of the Commission's rules concerning carriage of local television broadcast stations by satellite carriers pursuant to the Satellite Home Viewer Improvement Act. Comments due January 23*; replies due February 4. Contact: Eloise Gore or Ben Bartolome at (202) 418-7200 (voice).

COMMON CARRIER BUREAU

CC 96-45; PN 10/12/01; FCC 01J-2

Federal-State Joint Board on Universal Service Seeks Comment on Review of Lifeline and Link-Up Service for All Low-Income Consumers.

The Joint Board seeks comment regarding its review of Lifeline/Link-Up, two federal support programs that are used to preserve and advance universal service and to ensure that quality telecommunications and information services are available to low-income consumers at just, reasonable and affordable rates, as required by the Telecommunications Act of 1996. Comments due 60 days from publication in the Federal Register; replies due 120 days from publication in the Federal Register. Contact: Anita Cheng or Dana Bradford at (202) 418-7400 (voice), (202) 418-0484 TTY.

CC 96-262, 94-1; PN 11/01/01; DA 01-2547

Limited Extension of Time to File Comments and Reply Comments in the Cost Review Proceeding for Residential and Single-Line Business Subscriber Line Charge (SLC) Caps.

The Commission granted The National Association of State Utility Consumer Advocates an extension of time for filing comments in response to their cost submissions. Cost Submissions due November 16, 2001*; comments due January 24, 2002*; replies due February 14, 2002. Contact: Jennifer McKee at (202) 418-1530 (voice).

CC 01-314; PN 12/03/01; DA No. 01-2814

Commission Seeks Comment on Application Filed by NEVD Holdings, LLC ("NEVD") for Transfer of Control to Conversent Holdings, Inc.

On October 18, 2001, NEVD Holdings LLC and M/C Venture Partners V, L.P. ("M/C V") filed an application requesting authority pursuant to section 214 of the Communications Act of 1934, as amended ("the Act"), 47 U.S.C. § 214, and section 63.01 of the Commission's Rules to complete a transfer of corporate control. Petitions to deny due 30 days after the release of the Public Notice; final action will be taken 31 days following the date of the Public Notice. Contact: Tracey Wilson at (202) 418-1394 (voice) or Bill Dever at (202) 418-1578 (voice).

CC 96-262, 94-1, 99-249, 96-45; PN 12/04/01; DA 01-2817

Common Carrier Bureau Seeks Comment on Remand of \$650 Million Support Amount Under Interstate Access Support Mechanism for Price Cap Carriers.

The Commission seeks comment on the \$650 million support amount available under the interstate access support mechanism. Comment due 30 days from publication in the Federal Register; replies due 45 days from publication in the Federal Register. Contact: Ted Burmeister at (202) 418-7400 (voice).

CC 96-45; PN 12/07/01; DA 01-2841

Common Carrier Bureau Seeks Comment on Pine Belt Cellular and Pine Belt Cellular and Pine Belt PCS Petition for Designation as an Eligible Telecommunications Carrier in Alabama.

On November 26, 2001, Pine Belt Cellular and Pine Belt PCS filed a petition under section 214(e)(6) seeking designation as an eligible telecommunications carrier to receive federal universal service support for service offered in Alabama. Comments due 30 days after publication in the Federal Register; replies due 45 days after publication in the Federal Register. Contact: Richard Smith or Anita Cheng at (202) 418-7400 (voice), (202) 418-0484 TTY.

CC 01-318, CC 98-56, CC 98-147, CC 98-147, CC 96-98, 98-141; ORDER 12/07/01 (adopted 12/07/01); DA 01-2859

Performance Measurements and Standards for Unbundled Network Elements and Interconnection.

The Commission granted USTA's Motion for Extension of Time to establish a new comments deadline until January 22*; replies until February 12.

CC 96-45; PN 12/11/01; DA 01-2869

Common Carrier Bureau Seeks Comment on IT&E Overseas, Inc. Petition for Designation as an Eligible Telecommunications Carrier in the Territory of Guam.

On December 6, 2001, IT&E Overseas, Inc. filed a petition under section 214(e)(6) seeking designation as an eligible telecommunications carrier to receive federal universal service support for service offered in Guam. Comments due 30 days after publication in the Federal Register; replies due 45 days after publication in the Federal Register. Contact: Richard D. Smith or Anita Cheng at (202) 418-7400 (voice), (202) 418-0484 TTY.

CC 01-321; ORDER 12/17/01 (adopted 12/14/01); DA 01-2911

Performance Measurements and Standards for Interstate Special Access Services.

The Commission granted Extension of Time for Comments on NPRM in this proceeding. Comments due January 22*; replies due February 12.

CC 256, 96-45; PN 12/17/01; DA 01-2916

Limited Extension of Time for Filing Comments and Replies in Rate-of-Return Access Charge Reform Proceeding (MAG Proceeding).

The Commission granted the National Rural Telecom Association, the Organization for the Promotion and Advancement of Small Telecommunications Companies, and the United States Telecom Association a limited extension of time due to the complexity of issues and diversity of interests involved in the proceeding. Comments due February 14; replies due March 18. Contact: Marvin Sacks at (202) 418-2017 (voice).

CC 01-346; PN 12/19/01; DA 01-2942

Paging Coalition Files Petition for Declaratory Ruling Regarding Verizon's Proposed Termination of Type 3A Interconnection Service.

On December 3, 2001, Central Vermont Communications, Inc., Datapage, Inc., Northeast Paging and Rinker's Communications filed a Petition for Declaratory Ruling. Comments due January 18*; replies due February 4. Contact: Robert Tanner at (202) 418-1535 (voice).

PN 12/20/01; DA 01-2950

Comments Sought on Verizon Petition for Interim Waiver of Sections 61.42(g), 61.38 and 61.49 of the Commission's Rules.

The Commission seeks comment on Verizon's petition for interim waiver. Comments due January 21*; replies due February 4. Contact: Paul Moon at (202) 418-1530 (Voice).

CC 80-286; PN 12/20/01; DA 01-2973

Common Carrier Bureau Seeks Comment on "Glide Path" Policy Paper Filed by State Members of the Federal-State Joint Board on Jurisdictional Separations.

The Commission seeks comment on the Public Notice on the glide path paper. Comments due January 22*; replies due March 8. Contact: Sheryl Todd at (202) 418-7400 (voice), (202) 418-0484 TTY.

CC 01-347; PN 12/20/2001; DA 01-2994

Comments Requested on the Application by Verizon New Jersey Inc. for Authorization to Provide In-Regions, InterLATA Services in the State of New Jersey.

On December 20, 2001, Verizon New Jersey, Inc., and its subsidiaries, filed an application for authorization to provide in-region, interLATA service in the State of New Jersey, pursuant to section 271 of the Communications Act of 1934, as amended, 47 U.S.C. § 271. Comments due January 14*; replies due February 1. Contact: Alex Johns at (202) 418-1580 (voice).

CC 01-337; NPRM 12/20/01 (adopted 12/12/01); FCC 01-360

In the Matter of Review of Regulatory Requirements for Incumbent LEC Broadband Telecommunications Services.

The Commission seeks comment on the nature and scope of the market for domestic broadband services. In addition, the Commission seeks comment on the relevant market dynamics – including intermodal competition and the nascent stage of market development for residential broadband services – affecting the provision of domestic broadband services. Finally, the Commission requests comment on the appropriate regulatory requirements under Title II of the Act for the provision of broadband services by incumbent LECs given current market conditions. Comments due 45 Days after publication in the Federal Register.

CC 01-338, 96-98, 98-147; NPRM 12/20/01 (adopted 12/12/01); FCC 01-361

Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers; Implementation of the Local Competition Provision of the Telecommunications Act of 1996; Deployment of Wireline Services Offering Advanced Telecommunications.

The Commission seeks comment on how to apply the section 251(d)(2) analysis in a manner that is faithful to the Act and promotes its goals. Comments due 60 days after publication in the Federal Register; replies due 105 days after publication in the Federal Register.

CC 96-98, CC 99-200; PN 01/15/02; DA 02-108

Common Carrier Bureau Seeks Comment on Numbering Audit Program.

The Commission seeks comment on the the Numbering Audit Program. Comments due February 15; replies due March 1. Contact: Diana Lee at (202) 418-0843 (voice) or Anthony Dale at (202) 418-2260 (voice).

CC 01-337; PN 01/15/02; DA 02-116

Comments Sought on Commission's Examination of Regulatory Treatment of Incumbent Carriers' Broadband Telecommunications Services.

The Commission seeks comment on what changes it should make to its traditional regulatory requirements for incumbent LECs' provision of broadband services. Comments due March 1; replies due April 1. Contact: Alex Johns at (202) 418-1580 (voice).

PN 01/15/02; DA 02-123

NRG ComLease, LLC Seeks Commission Determination of "Exempt Telecommunications Company" Status Under the Public Utility Holding Company Act.

On December 13, 2001, NRG ComLease, LLC filed an application requesting a determination by the Commission that it is an "exempt telecommunications company" pursuant to section 34(a)(1) of the Public Utility Holding Company Act of 1935 as amended by section 103 of the Telecommunications Act of 1996. Comments due January 29; replies due February 5. Contact: Carmell Weathers at (202) 418-2325 (voice) or Jon Minkoff at (202) 418-2353 (voice), (202) 418-0484 TTY.

PN 01/15/02; DA 02-124

Digital Teleport Nationwide, LLC Seeks Commission Determination of "Exempt Telecommunications Company" Status Under the Public Utility Holding Company Act.

On December 7, 2001, Digital Teleport Nationwide, :LLC filed an application requesting a determination by the Commission that it is a "exempt telecommunications company" pursuant to section 34(a)(1) of the Public Utility Holding Company Act of 1935 as amended by section 103 of the Telecommunications Act of 1996. Comments due January 29; replies due February 5. Contact: Carmell Weathers at (202) 418-2325 (voice) or Jon Minkoff at (202) 418-2353 (voice), (202) 418- 0484 TTY.

PN 01/16/02; DA 02-127

KeySpan Communications Corporation Seeks Commission Determination of "Exempt Telecommunications Company" Status Under the Public Utility Holding Company Act.

On December 4, 2001, KeySpan Communications Corporation filed an application requesting a determination by the Commission that it is an "exempt telecommunications company," pursuant to section 34(a)(1) of the Public Utility Holding Company Act of 1935, as amended by section 103 of the Telecommunications Act of 1996. Comments due January 28*; replies due February 1. Contact: Carmell Weathers at (202) 418-2325 (voice) or Jon Minkoff at (202) 418-2353 (voice), (202) 418-0484 TTY.

PN 01/17/02; DA 02-135

Comments Invited on Cable & Wireless USA, Inc. Application to Discontinue Domestic Telecommunications Services.

On December 17, 2001, Cable & Wireless USA, Inc. filed an application with the Commission requesting authority under section 214(a) of the Communications Act of 1934, 47 U.S.C. § 214(a), and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue

domestic telecommunications services. Comments due: February 1. Contact: Carmell Weathers at (202) 418-2325 (voice) or Jon Minkoff at (202) 418-2353 (voice), (202) 418-0484 TTY.

CC 02-7; PN 01/17/02; DA 02-111

Comment Requested on Application by Verizon for Authorization Under Section 271 to Provide In-Region InterLATA Service in the State of Vermont.

On January 17, 2002, Verizon New England Inc., Bell Atlantic Communications, Inc. (d/b/a Verizon Long Distance), NYNEX long Distance Company (d/b/a Verizon Enterprise Solutions), Verizon Global Networks Inc. and Verizon Select Services Inc. (collectively, Verizon) filed an application for authorization to provide in-region, interLATA service in the State of Vermont, pursuant to section 271 of the Communications Act of 1934, as amended, 47 U.S.C. § 271. Comments due February 6; replies due March 1. Contact: Janice Myles at (202) 418-1558 (voice).

CC 02-4; PN 01/18/02; DA 02-164

Pleading Cycle Established for Comments on @Communications, Inc. Petition for Declaratory Ruling.

On January 9, 2002, @Communications, Inc. filed a Petition for Declaratory Ruling requesting that the Commission affirm that its existing rules require incumbent local exchange carriers to bear cost responsibility on their side of the interconnection points between @Communications' network and Sprint's network; or, alternatively, that cost responsibility for the ILEC facilities be apportioned according to percent originating use without regard to the location of Ips. Comments due February 19; replies due March 6. Contact: Janice Myles at (202) 418-1580 (voice).

CC 02-5; PN 01/18/02; DA 02-165

Pleading Cycle Established for Comments on KMC Telecom Petition for Preemption Pursuant to Section 252(E)(5).

On January 10, 2002, KMC Telecom of Virginia, Inc., KMC Telecom IV of Virginia, Inc., and KMC Telecom V of Virginia, Inc. filed a petition pursuant to section 252(e)(5) of the Communications Act and section 51.803 of the Commission's rules for preemption of the jurisdiction of the Virginia State Corporation Commission. KMC requests that the Commission issue an order preempting the jurisdiction of the Virginia Commission in an interconnection dispute between KMC and Verizon-Virginia, Inc. (f/k/a Bell Atlantic Virginia, Inc.) (Verizon). Comments due January 30; replies due February 7. Contact: Janice Myles at (202) 418-1580 (voice).

PN 01/18/02; DA 02-168

Comments Invited on Alma Telephone Company Application to Discontinue Domestic Telecommunications Services.

On January 10, 2002, Alma telephone Company filed an application with the Commission requesting authority under section 214(a) of the Communications Act of 1934, 47 U.S.C. § 214(a) and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71 to discontinue its domestic telecommunications services. Comments due: February 1. Contact: Carmell Weathers at (202) 418-2325 (voice) or Jon Minkoff at (202) 418-2353 (voice), (202) 418-0484 TTY.

CC 96-45,97-21; ORDER 01/18/02 (adopted 01/17/02); DA 02-139

Albany County School District, Laramie WY, et. al.

The Commission extended for 30 days the deadline for resolution of the captioned requests for review.

CC 96-45, 97-21, ORDER 01/18/02 (adopted 01-17-02); DA 02-140

Alliance Group Service, Inc., Kalamazoo, MI, et. al.

The Commission extended for 60 days the deadline for resolution of the captioned requests for review.

CC 96-150, ORDER 01/18/02 (adopted 01/18/02); DA 02-166

Accounting Safeguards Under The Telecommunications Act of 1996.

The Commission granted an extension of time until March 21, 2002 for submitting comments on Verizon's section 272(d) biennial audit report.

CC 95-155, PN 01/18/02; DA 02-167

Common Carrier Bureau Invites Interested Parties to Participate in a Forum to Discuss Toll-Free Number Administration.

The Commission seeks comment on the Toll-Free Number Administration agenda. Comments due January 31. Contact: Jennifer Gorny at (202) 418-2320 (voice), (202) 418-0484 TTY.

INTERNATIONAL BUREAU

PN 01/09/02; DA 02-39

Eliska Wireless Ventures License Subsidiary I, L.L.C., Eliska Wireless Investors I, L.P., Powertel, Inc., and Sonera Holding, B.V. Seek FCC Consent to Transfer Control of Licenses and Section 214 Authorizations and Request Declaratory Ruling Allowing Increased Indirect Foreign Ownership.

On November 28, 2001, Eliska Wireless Ventures License Subsidiary I, L.L.C. Eliska Wireless Investors, I, L.P. Powertel, Inc. and Sonera Holding B.V. filed applications under section 1.948(b)(1) of the Commission's Rules to transfer control to Powertel of common carrier wireless license and authorizations presently held by Eliska. Comments due February 6; replies due February 16. Contact: Imani K. Ellis-Cheek at (202) 418-1028 (voice).

MASS MEDIA BUREAU

MM 01-235, MM 96-197; Order 12/14/01 (adopted 12/14/01) DA 01-2918

Cross-Ownership of Broadcast Stations and Newspapers.

The Commission granted the AFL-CIO, Center for Digital Democracy, Civil Rights Forum on Communications Policy, Consumer Federation of America, Consumers Union, Leadership Conference on Civil Rights, Media Alliance, National Organization for Women, and Office of Communication of United Church of Christ request for Extension of Time to File Reply comments to February 15, 2002.

MM 99-325; PN 12/19/01; DA 01-2932

Comment Sought on National Radio Systems Committee DAB Subcommittee's "Evaluation of the IBIQUITY Digital Corporation IBOC System."

The Commission seeks comment on the NRSC report, conclusions, and recommendations concerning the iBiquity hybrid mode FM IBOC DAB system, and the iBiquity FM IBOC test results, with respect to the Commission's stated DAB policy goals and selection criteria. Comments due February 19; replies due March 21. Contact: Peter Doyle at (202) 418-2700 (voice).

MM 98-204; SECOND NPRM 12/21/01 (adopted 12/12/01); FCC 01-363

Review of the Commission's Broadcast and Cable Equal Employment Opportunity Rules and Policies.

The Commission seeks comment concerning a new broadcast equal employment opportunity rule and policies consistent with the decision of the U.S. Court of Appeals for the District of Columbia Circuit in *MD/DC/DE Broadcasters Association v. FCC*, 236 F3d 13, rehearing den.

253 F3d 732 (D.C. Cir. 2001), *pet for cert. filed*, MMTc v. MD/DC/DE Broadcasters Association, No. 01-639 (October 17, 2001) (“*Association*”). Comments due 60 days after publication in the Federal Register; replies due 90 days after publication in the Federal Register.

PN 01/15/02

Comment Deadlines for EEO Rule Making.

On December 21, 2001, the Commission released its Second Notice of Proposed Rule Making requesting comments concerning proposed Equal Employment Opportunity rules applicable to broadcasters and cable entities. Comments due March 15; replies due April 15. Contact: EEO Staff at (202) 418-1450 (voice).

OFFICE OF ENGINEERING AND TECHNOLOGY

ET 01-278; NPRM 10/15/01 (adopted 10/02/01); FCC 01-290

Review of Part 15 and other Parts of the Commission’s Rules.

The Commission seeks comment on the above-captioned proceeding. Comments due 75 days from date of publication in the Federal Register; replies due 105 days from date of publication in the Federal Register.

WIRELESS TELECOMMUNICATIONS BUREAU

WT 01-289; NPRM 10/16/01 (adopted 10/10/01) FCC 01-303

Review of Part 87 of the Commission’s Rules Concerning the Aviation Radio Service.

The Commission proposed consolidating, revising and streamlining the rules in the above captioned-proceeding. Comments due 90 days after publication in the Federal Register; replies due 120 days after publication in the Federal Register.

WT 01-309; NPRM 11/14/01 (adopted 10/29/01); FCC 01-320

In the Matter of Section 68.4(a) of the Commission’s Rules Governing Hearing Aid-Compatible Telephones.

The Commission seeks comment on whether public mobile service telephones should be required to be hearing aid compatible. Comments due January 11*; replies due February 11.

WT 01-319; NPRM 11/21/01 (adopted 11/09/01); FCC 01-333

Review of Quiet Zones Application Procedures.

The Commission seeks comment on its proposal to revise and streamline the current requirements for applications affecting areas known as “Quiet Zones”. Comments due January 22*; replies due February 6.

WT 99-217; PN 11/30/01; DA 01-2751

Wireless Telecommunications Bureau Requests Comment on Current State of the Market. For Local and Advanced Telecommunications Services in Multitenant Environments.

The Commission seeks updated data on the current state of the market for advanced telecommunications services in multi-tenant environments. Comments due February 1, 2002. Contact: Leon Jackler at (202) 418-0946 (voice).

WT 01-339; NPRM 12/20/01 (adopted 12/12/01); FCC 01-366

Garmin International, Inc. to Authorize Manufacture, Sale and use of GPS Transmission Enhanced Family Radio Service.

The Commission seeks comment on a proposal to amend Sections 95.193(a), 95.193(b), and 95.631(d) of its rules to authorize Family Radio Service (FRS) units to transmit and additional emission type and to revise the permissible communications rule that applies to FRS units. Comments due 30 days after publication in the Federal Register; replies due 45 days after publication in the Federal Register.

PN 12/28/2001; DA 01-3020

Wireless Telecommunications Bureau Seeks Comment on McMurdo Limited Waiver Request for Type Certification of 121.5 MHZ Guardian Manoverboard Personal Emergency Position Indicating Radio Beacon (EPIRB).

On November 2, 2001, McMurdo Limited filed a request for waiver of Section 80.1055 of the Commission’s Rules to permit the type certification for its new 121.5 MHZ Guardian Manoverboard Personal EPIRB. Comments due January 28*; replies due February 12. Contact: Jim Shaffer at (202) 418-0687 (voice), (202) 418-7233 TTY.

PR 92-257; FOURTH NPRM 12/28/01 (adopted 12/11/01); FCC 01-358

In the Matter of Amendment of the Commission’s Rules Concerning Maritime Communications.

The Commission seeks comment on its rules concerning Maritime Communications. Comments due 60 days after publication in the Federal Register; replies due 90 days after publication in the Federal Register.

WT 99-217; PN 01/16/02; DA 02-67

Wireless Telecommunications Bureau Extends Deadline for Comments on Current State of the Market for Local and Advanced Telecom Services in Multitenant Environments.

The Wireless Telecommunications Bureau extends the deadline for comments in this proceeding until March 8. Contact: Leon. Jackler at (202) 418-0946 (voice).